



GAIL FARBER, Director

## COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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November 12, 2014

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**DEVIL'S GATE RESERVOIR SEDIMENT REMOVAL AND MANAGEMENT PROJECT APPROVAL  
AND CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT  
CITY OF PASADENA  
(SUPERVISORIAL DISTRICT 5)  
(3 VOTES)**

**SUBJECT**

This action is to adopt the Environmental Impact Report and authorize the Los Angeles County Flood Control District to proceed with preconstruction activities for specific improvements to Devil's Gate Reservoir in the City of Pasadena.

**IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Certify that the Final Environmental Impact Report for the Devil's Gate Reservoir Sediment Removal and Management Project has been completed in compliance with the California Environmental Quality Act and reflects the independent judgment and analysis of the Los Angeles County Flood Control District; find that the Board has reviewed and considered the information contained in the Final Environmental Impact Report prior to approving the project; adopt the Mitigation Monitoring and Reporting Program for the Recommended Alternative, finding that the Mitigation Monitoring and Reporting Program for the Recommended Alternative is adequately designed to ensure compliance with the mitigation measures during implementation of the project; and determine that the significant adverse effects of the project have either been reduced to an acceptable level or are outweighed by the specific considerations of the Recommended Alternative, as outlined in the Environmental Findings of Fact and Statement of Overriding Considerations, which findings and statement are adopted and incorporated by reference.

2. Approve the Devil's Gate Reservoir Sediment Removal and Management Project, Alternative 3, Configuration D, Option 2 in conjunction with Alternative 5 as the Recommended Alternative, which is described and analyzed in the Final Environmental Impact Report, and authorize the Los Angeles County Flood Control District to carry out the Recommended Alternative.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to certify the Final Environmental Impact Report (FEIR) for the Devil's Gate Sediment Removal and Management Project, approve the Recommended Alternative as the project, and authorize the Los Angeles County Flood Control District (District) to proceed with preconstruction activities including developing design plans and specifications and obtaining necessary permits for the Recommended Alternative, which will remove accumulated sediment from the Devil's Gate Reservoir to restore flood control capacity and reduce the risk of downstream flooding.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Integrated Services Delivery (Goal 3). This action will reduce flood risk to the communities downstream of Devil's Gate Dam and Reservoir adjacent to the Arroyo Seco by restoring capacity for flood control and future sediment inflow events, support sustainability by establishing a reservoir configuration more suitable for routine maintenance activities, and support dam safety by removing sediment accumulated in the reservoir in a timely manner to ensure the ability to empty the reservoir in the event of a dam safety concern all while utilizing grant funding to augment the District's funding sources.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The estimated cost to complete the Recommended Alternative is \$65,000,000. Funding for the Recommended Alternative will be made available through the Flood Control District Fund annual budget process. The District has received a State of California Proposition 1E Grant, which may reimburse up to \$22,000,000 of the construction cost.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Devil's Gate Reservoir is located in the upper portion of the Arroyo Seco Watershed in the City of Pasadena. As a result of sediment inflows following the 2009 Station Fire, Devil's Gate Reservoir no longer has the capacity to safely contain another major debris event, and the outlet works are at risk of becoming clogged and inoperable. At a Board meeting in March 2011, the Board directed the Director of Public Works to prepare an Environmental Impact Report (EIR) for a project to remove sediment from the Devil's Gate Reservoir.

The Recommended Alternative will remove sediment from Devil's Gate Reservoir to restore capacity and establish reservoir management to maintain the flood control capacity of the reservoir while allowing for habitat and vegetation to remain in areas of the reservoir. This will include removal of approximately 2,425,000 cubic yards of excess sediment in the reservoir and any additional

sediment received during the Recommended Alternative's sediment removal phase. Upon completion of the Recommended Alternative's sediment removal phase, the reservoir will have a debris capacity of approximately 3.7 million cubic yards.

Certification of the FEIR is required by the California Environmental Quality Act (CEQA) prior to the Board's approval of the project and prior to issuance of certain necessary regulatory permits for the Recommended Alternative. The Board's approval of the Recommended Alternative will authorize the District to proceed with preconstruction activities including finalization of plans and specifications for the Recommended Alternative. Following completion of the preconstruction activities, the District will return to the Board for approval to advertise the plans and specifications and call for construction bids.

## **ENVIRONMENTAL DOCUMENTATION**

On September 28, 2011, the District circulated the Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for the originally proposed project to remove up to 4,000,000 cubic yards of sediment from the reservoir behind Devil's Gate Dam to restore it to its current design standard. A public Notice of Availability of the NOP was published in the Pasadena Star News and San Gabriel Valley Tribune. The NOP and Initial Study were distributed through the State Clearinghouse and directly to numerous agencies, organizations, and interested groups for comment during the scoping period. Two public scoping meetings, for interested parties to receive information on the proposed project as well as the opportunity to submit comments, were advertised in the NOP. The meetings were held on October 5 and 15, 2011. The comment period for the NOP and Initial Study closed on November 11, 2011.

The Initial Study was prepared for the originally proposed project in compliance with CEQA. The Initial Study concluded that there is substantial evidence that the project may have a significant impact on the environment in the following areas: aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, noise, public services, recreation, transportation and traffic, and utilities and service systems. The Initial Study determined that an EIR is the appropriate CEQA document.

A FEIR for the project has been prepared in compliance with CEQA and is enclosed and also on file with the County Clerk of the Board. A Public Notice of the DEIR was published in the Pasadena Star News and San Gabriel Valley Tribune on October 23, 2013, pursuant to Public Resources Code Section 21092 and posted pursuant to Section 21092.3. Three public meetings were held on November 6, 14, and 16, 2013, to present the DEIR and encourage comments. Comments were accepted initially for 75 days from October 23, 2013, to January 6, 2014, upon which the review period was extended to 90 days, and comments were accepted until January 21, 2014. There were 251 comment letters received from residents, local community groups, and local, State, and Federal agencies. Comments received primarily concerned impacts to air quality, biological resources, noise, recreation, and traffic. Responses to those comments are included in the FEIR. Responses received from public agencies were sent to those agencies pursuant to Section 21092.5.

The FEIR consists of the DEIR and Technical Appendices dated October 2013, Responses to Comments dated October 20, 2014, Clarifications, and Modifications to the DEIR. The Findings of Fact and Statement of Overriding Considerations, dated October 20, 2014, are enclosed. Except for unavoidable significant impacts to aesthetics, transportation, and traffic; all identified significant environmental effects of the Recommended Alternative can be avoided or reduced to a level of

insignificance through the implementation of the mitigation measures identified in the FEIR. As stated in the enclosed Findings of Fact and Statement of Overriding Considerations, the unavoidable significant impacts on aesthetics, transportation, and traffic have been reduced to the extent feasible, and the benefits of the Recommended Alternative, which include improved flood protection, timeliness, and a sustainable management plan for the reservoir, outweigh these unavoidable adverse impacts.

The FEIR considers six alternatives, including the No Project Alternative. The No Project Alternative will not meet any of the proposed project's objectives, which are: satisfactorily reducing flooding risk, creating a configuration suitable for routine operations and maintenance, reducing the possibility of plugging the outlet works, removing sediment from Johnson Field, removing sediment in a timely manner, and delivering sediment to facilities already prepared to accept sediment. Alternative 3, Configuration D is determined to be the environmentally superior alternative that reduces impacts while still meeting the proposed project objectives. Selecting Alternative 3, Configuration D, Option 2 in conjunction with Alternative 5 as the recommended Alternative achieves a greater level of environmental protection and increases haul route flexibility to further reduce traffic impacts. Three public informational meetings were held November 1, 3, and 6, 2014, to provide the public with key findings of the FEIR and the Recommended Alternative.

A Mitigation Monitoring and Reporting Program (MMRP) consistent with the conclusions and recommendations of the FEIR has been prepared and is attached to the FEIR. The MMRP identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts of the Recommended Alternative to the environment is ensured and its requirement have been incorporated into the conditions of approval for this project.

The documents and other materials constituting the record of the proceedings, upon which the Board's decision is based in this matter, are located at the County of Los Angeles Department of Public Works, Water Resources Division, 900 South Fremont Avenue, 2nd Floor, Alhambra, CA 91803. The custodian of such documents and materials is Mr. Kenneth Zimmer.

The project is not exempt from payment of a fee to the California Department of Fish and Wildlife pursuant to Section 711.4 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the Department of Fish and Wildlife. Upon the Board's certification of the FEIR, Public Works will file a Notice of Determination with the Registrar Recorder/County Clerk in accordance with Section 21152(a) of the California Public Resources Code and pay the required filing and processing fees in the amount of \$3,104.75.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The Recommended Alternative will reduce flood risk to the communities adjacent to the Arroyo Seco downstream of Devil's Gate Dam and Reservoir by restoring capacity for flood control and future sediment inflow events.

### **CONCLUSION**

Please return one adopted copy of this letter to Public Works, Water Resources Division.

The Honorable Board of Supervisors

11/12/2014

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Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:CS:abc

Enclosures

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office